

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

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 KPM ANALYTICS NORTH AMERICA)
 CORPORATION,)
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 Plaintiff,)
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 v.)
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)
 BLUE SUN SCIENTIFIC, LLC; THE INNOVATIVE) C.A. No. 4:21-cv-10572-MRG
 TECHNOLOGIES GROUP & CO., LTD; ARNOLD)
 EILERT; MICHELLE GAJEWSKI; ROBERT)
 GAJEWSKI; RACHAEL GLENISTER; GREGORY)
 ISRAELSON; IRVIN LUCAS; and PHILIP)
 OSSOWSKI,)
)
 Defendants.)
)

LIMITED OPPOSITION OF DEFENDANTS BLUE SUN SCIENTIFIC, LLC AND THE INNOVATIVE TECHNOLOGIES GROUP & CO., LTD. TO PLAINTIFF'S MOTION FOR LEAVE TO REGISTER JUDGMENT IN THE DISTRICT OF MARYLAND AND PLAINTIFF'S APPLICATION FOR ISSUANCE OF WRIT OF EXECUTION

Defendants Blue Sun Scientific, LLC (“Blue Sun”) and The Innovative Technologies Group & Co., Ltd. (“ITGC”) hereby submit this limited opposition to plaintiff KPM Analytics North America Corporation’s (“KPM”) Motion for Leave to Register Judgment in the District of Maryland and Plaintiff’s Application for Issuance of Writ of Execution (collectively, the “Request”), insofar as the latter relates to Blue Sun and ITGC. For the reasons stated below, the Court should defer ruling on the Request for thirty (30) days because it is soon to be moot and is not yet ripe.

The Request seeks to advance Plaintiff's efforts to execute on the judgment entered

against Blue Sun and ITGC on February 7, 2025 (which is on appeal to the First Circuit). Both Blue Sun and ITGC have engaged bankruptcy counsel to file petitions for Chapter 11 Bankruptcy within the next few weeks. Those filings will automatically stay any efforts to collect on the judgment and moot the Request.

Additionally, the individual defendants' Motion for Relief from Judgment Pursuant to Rule 60(a) (the "Pending Motion") is currently pending before the Court. The Pending Motion seeks to modify the wording of the judgment so that it comports with the Court's prior rulings. The Court should resolve the Pending Motion and finalize the judgment *before* it registers the judgment in a different district. Indeed, prematurely registering the judgment there would unnecessarily cause confusion and waste judicial resources.

For these reasons, Blue Sun and ITGC respectfully request that the Court defer its ruling on the Request for thirty (30) days to allow for the Bankruptcy filings and a ruling on the Pending Motion.

Respectfully submitted,

BLUE SUN SCIENTIFIC, LLC AND
INNOVATIVE TECHNOLOGIES GROUP
& CO., LTD.,

By their attorneys,

/s/ Dana A. Zakarian

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Dated: March 26, 2025

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on March 26, 2025.

/s/ Dana A. Zakarian
Dana A. Zakarian